

REMARKS

Claims 1-12 are pending but stand rejected. Claims 1 and 7 have been amended. Those amendments find support in the Specification. See, for example, paragraphs [0029] and [0030]. In view of the amendments and the following remarks, the Applicants respectfully request the Examiner's reconsideration.

Claim Rejections – 35 USC §103:

The Examiner rejected Claims 1-12 as being unpatentable over US Pub. 2002/0097259 to Marshall in view of USPN 6,771,290 issued to Hoyle.

Claim 1 is directed to a system for web based imaging. As amended, Claim 1 includes the following elements:

1. at least one graphic store for storing a plurality of different graphics;
2. a networked and autonomous group composition store for storing and providing imaging clients access to a plurality of compositions, with each different composition referencing at least one graphic in the at least one graphic store that is external to the group composition store and including information on a placement of each referenced graphic on a canvas, wherein at least two of the compositions reference the same graphic in the same graphic store without duplicating the graphic; and
3. a plurality of different user profiles that are accessed from at least one user profile store, each for a different imaging client, with each user profile including a reference to the group composition store, wherein the profile store is networked and autonomous.

The Examiner asserts that Marshall teaches the first two elements, that Hoyle teaches the third, and that the combination of the two references teaches Claim 1.

Marshall is directed to a system for generating printable and electronic greeting cards. Marshall refers to such items as "memory products." A memories product is composed from a number of "memories materials" arranged according to a "topic" and a "story." Following the topic and the story, the memories materials are

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integrated with finishing touches such as backgrounds, animations, and captions to form the memories product. Marshall describes a memories product generation system that identifies a number of memories products that can be generated from memories materials it receives. The system allows a viewer to preview each memories product which can be customized to the interests of an intended recipient. See, e.g., Marshall, Abstract.

The Examiner equates Marshall's memory product generation system with the group composition store of Claim 1. To the contrary, Marshall's memory product generation system does not store and provide access to compositions that each reference at least one graphic in an external graphic store and include information regarding the placement of a graphic on a canvas. Moreover, Marshall's memory product generation system does not store and provide access to at least two of compositions that reference the same graphic in the same graphic store without duplicating the graphic. Hoyle also fails to teach these limitation.

Marshall's memory product generation system allows a user to input a set of a set of electronic images (memories materials) that can be organized to form a memories product. Marshall, Fig. 12, step 1201. If the user chooses not to organize right now, those images are gathered and saved in a database (126) maintained by Marshall's memories product generation system. Marshall, Fig. 12, step 1218 and paragraph [0053]. Marshall's memories product generation system then assigns a pointer to the database (126). Marshall, Fig.12, step 1219 and paragraph [0053].

The information pointing to the images is not a composition as recited by Claim 1 because it does not include information on a placement of each referenced graphic on a canvas. It simply points to an image storage location.


Once the user decides to organize the images, those images are placed in a virtual memories product. Marshall, Fig. 12, step 1205 and paragraph [0053]. The virtual memories product is not a composition as recited by Claim 1 because it includes the images or copies thereof. In other words, two virtual memories products cannot reference the same graphic in the same graphic store without duplicating the graphic as recited by Claim 1. Once the same image is placed in two virtual memories products, that image has, by definition, been duplicated.

For at least these reasons, Claim 1 is patentable over the cited references as are Claims 2-6 due at least in part to their dependency from Claim 1.

Claim 7 is directed to a program product including machine readable program code for implementing the system of Claim 1. For at least the same reasons Claim 1 is patentable, so are Claim 7 and Claims 8-12 which depend from Claim 7.

CONCLUSION: The foregoing is believed to be a complete response to the outstanding Office Action.

Respectfully submitted,
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